

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

OSCAR W. JONES,

Plaintiff, No. CIV S-00-2811 GEB KJM P

vs.

LOU BLANAS, et al.,

Defendants. ORDER

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Plaintiff is a California civil detainee proceeding pro se with an action for violation of civil rights under 42 U.S.C. § 1983. This matter recently was remanded by the Ninth Circuit Court Appeals. Among other things, the Ninth Circuit directed that the court appoint counsel for plaintiff.

The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296 (1989). In certain exceptional circumstances, however, the court may request the voluntary assistance of counsel under 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015 (9th Cir. 1990); Wood v. Housewright, 900 F.2d 1332 (9th Cir. 1990). The court will refer this case to attorney Kim Sayers-Fay, a member of the board of the Sacramento Chapter of the Federal Bar Association, and ask that she attempt to find representation for plaintiff.

1 In accordance with the above, IT IS HEREBY ORDERED that:

2 _____ 1. The Clerk of the Court is directed to copy the contents of this file and forward
3 them to Kim Sayers-Fay, Stevens & O'Connell, 400 Capital Mall, Suite 1400, Sacramento, CA,
4 95814.

5 2. The Court requests that Ms. Sayers-Fay inform the court at her earliest
6 convenience and not later than thirty days from this order whether she will be willing to represent
7 plaintiff.

8 DATED: June 27, 2005.

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10 UNITED STATES MAGISTRATE JUDGE
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